

REMARKS

The Official Action of April 13, 2005, entirely in the nature of a restriction requirement, has been carefully studied. The claims in the application remain as claims 1-10.

Applicants have claimed priority of an application filed in the European Patent Office on July 11, 2002, and have submitted a certified copy of the priority document to the PTO. **Accordingly, applicants respectfully request the examiner to acknowledge receipt of applicants' papers filed under §119.**

Restriction has been required between what the PTO deems to be two (2) patentably distinct inventions as set forth at the top of numbered page 2 of the Official Action. As applicants must make an election, even though the requirement is traversed, applicants hereby provisionally and respectfully elect Group I directed to the method, and presently comprising claims 1-8, with traverse and without prejudice.

The requirement is predicated on the assumption (respectfully submitted by applicants to be erroneous) that the product of Group II could be made without following the method of elected Group I, and such another method would be a "materially" different method, and in particular the product of Group II could be made without grinding "by means of the grinding device". To make it more clear that the product of Group II could not be made without grinding, claim 9 has been amended above to specify that the flutings are "ground"¹.

¹ The word "ground" is a structural recitation, along the lines of "welded" and "etched".

In re Appln. No. 10/617,305
Reply dated: May 10, 2005
In reply to OA dated: April 13, 2005

As the product "as claimed" can only be made by the elected process of Group I, the restriction requirement should be withdrawn and claims 9 and 10 examined along with the elected claims 1-8. Such is respectfully requested.

Moreover, even though the groups may be separately classified, a complete search and examination of the elected method of Group I would require a search and consideration of Group II, and therefore there would be no "serious burden" in searching and examining both groups, as would be required by the second paragraph of MPEP 803.

Accordingly, applicants respectfully request withdrawal of the restriction requirement and examination of all the claims on the merits.

Applicants believe that all issues raised in the Office Action have been addressed above. Applicants respectfully await the results of a first examination on the merits.

Respectfully submitted,
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